

---

**TITLE 345 INDIANA STATE BOARD OF ANIMAL HEALTH**

---

**Emergency Rule**  
LSA Document #15-205(E)**DIGEST**

Temporarily adds noncode provisions supplemental to [345 IAC 1-3-24](#) to prohibit the movement of live poultry into the state or within the state to an exhibition or other event where poultry from different locations are commingled. Temporarily adds noncode provisions supplemental to [345 IAC 1-3-24](#) to require a seller or owner and buyer or recipient of poultry within Indiana to maintain a record of the transaction. Temporarily adds noncode provisions supplemental to [345 IAC 7-3.5](#) to require licensed livestock dealers and market facilities to maintain certain records related to purchases and sales of poultry. Temporarily adds noncode provisions supplemental to [345 IAC 7-4.5](#) to require a person holding an exhibition of poultry to register the event with the board and maintain certain records. Repeals LSA Document #15-154(E), posted at [20150603-IR-345150154ERA](#). Statutory authority: [IC 15-17-10-9](#). Partially effective July 10, 2015, and partially effective September 17, 2015.

**SECTION 1. (a) This SECTION is supplemental to [345 IAC 1-3-24](#).**

**(b) Notwithstanding the requirements in [345 IAC 1-3-24](#) and [345 IAC 4-4-6](#), a person responsible for moving live poultry into or within Indiana may not move poultry to an exhibition, public sale, or other event where poultry from different locations are commingled, such as the following:**

- (1) Fairs and shows.**
- (2) Live bird auctions.**
- (3) Swap meets.**
- (4) Flea markets.**

**(c) The state veterinarian may permit the movement of poultry into or within the state under conditions prescribed by the state veterinarian to facilitate the:**

- (1) diagnosis;**
- (2) treatment;**
- (3) prevention; or**
- (4) control;**

**of disease.**

**SECTION 2. (a) This SECTION is supplemental to [345 IAC 1-3-24](#).**

**(b) Except as provided in subsection (c), the seller, lessor, or owner and purchaser, lessee, or recipient of poultry that are sold, bartered, or exchanged within Indiana must maintain a record of the transaction. The following records pertaining to the transaction must be maintained for three (3) years:**

- (1) The number and breed of poultry.**
- (2) Any individual animal identification present on the poultry.**
- (3) The name and address of the seller, lessor, or owner.**
- (4) The name and address of the purchaser, lessee, or recipient.**

**(c) The following transactions are exempt from the record keeping requirement in subsection (b):**

- (1) Poultry sold directly to an approved slaughtering establishment.**
- (2) Poultry sold in a transaction through an approved livestock facility.**
- (3) A transaction that has been approved by the state veterinarian to occur with another form of record.**

**SECTION 3. (a) This SECTION is supplemental to [345 IAC 7-3.5-2](#).**

**(b) "Game birds" means domesticated fowl such as:**

- (1) pheasants;**
- (2) partridge;**
- (3) quail;**
- (4) grouse; and**
- (5) guineas;**

**but not doves and pigeons.**

(c) "Poultry" means domesticated fowl, including the following:

- (1) Chickens.
- (2) Turkeys.
- (3) Ostriches.
- (4) Emus.
- (5) Rheas.
- (6) Cassowaries.
- (7) Waterfowl.
- (8) Game birds.

The term does not include doves and pigeons.

(d) "Waterfowl" means domesticated fowl that normally swim, such as ducks and geese.

SECTION 4. (a) This SECTION is supplemental to [345 IAC 7-3.5-9](#).

(b) A dealer shall maintain records that fully and correctly disclose all purchases, sales, or transfers involving poultry and shall include the following information:

- (1) A record of the number, breed, and any identification present on poultry received for sale or consignment.
- (2) The name and address of the seller or consignor.
- (3) The date on which the poultry were received.
- (4) The name and address of the buyer or consignee.
- (5) A record of the number, breed, and any identification present on poultry sold to each buyer.
- (6) If tested, individual test records, health records, and health certificates.
- (7) Any other facts necessary to reflect the true nature of the transaction.

(c) For animals bought, sold, or transferred by or through a licensed dealer, the dealer must keep as a part of the dealer's records a copy of any CVIs or alternate documentation required to move the poultry.

SECTION 5. (a) This SECTION supersedes [345 IAC 7-4.5-1](#).

(b) The definitions in [IC 15-17-2](#) and the following definitions apply throughout [345 IAC 7-4.5](#) and this document:

- (1) "Board" means the Indiana state board of animal health appointed under [IC 15-17-3](#).
- (2) "Exhibition" means a fair, show, or competition of limited duration that congregates animals from multiple sources on a premises.
- (3) "Game birds" means domesticated fowl such as:
  - (A) pheasants;
  - (B) partridge;
  - (C) quail;
  - (D) grouse; and
  - (E) guineas;

but not doves and pigeons.

- (4) "Livestock" has the meaning set forth in [IC 15-17-2-47\(a\)](#).
- (5) "Poultry" means domesticated fowl, including the following:
  - (A) Chickens.
  - (B) Turkeys.
  - (C) Ostriches.
  - (D) Emus.
  - (E) Rheas.
  - (F) Cassowaries.
  - (G) Waterfowl.
  - (H) Game birds.

The term does not include doves and pigeons.

- (6) "State veterinarian" means the state veterinarian appointed by the board under [IC 15-17-4](#) and any authorized agents.
- (7) "Waterfowl" means domesticated fowl that normally swim, such as ducks and geese.

(c) Notwithstanding any other provision of [345 IAC 7-4.5](#) or this document, a person holding an exhibition that involves only the following animals is exempt from the requirements in this document:

- (1) Animals of the family equidae (horses, asses, and donkeys).

(2) Animals of the family camelidae (camels, llamas, and alpacas).

SECTION 6. (a) This SECTION supersedes [345 IAC 7-4.5-2](#).

(b) Except as provided in [345 IAC 7-4.5-1](#)(b), a person holding an exhibition of livestock or poultry shall register the event with the board not less than ten (10) days before the opening of the exhibition by notifying the state veterinarian of the following information:

- (1) The opening date of the exhibition.
- (2) The duration of the exhibition.
- (3) The location of the event.
- (4) The nature of the event and the species of animals that are expected at the event.
- (5) The name, address, and phone number of the person organizing the event.
- (6) The name, address, and phone number of the person who will be keeping the records required under SECTION 7 of this document.
- (7) If there is a veterinarian for the exhibition, the name and address of the exhibition veterinarian.

SECTION 7. (a) This SECTION supersedes [345 IAC 7-4.5-3](#).

(b) A person holding an exhibition of livestock or poultry shall keep the following records associated with each participant in the event:

- (1) The participant's name and address.
- (2) The species of each animal exhibited by the participant.
- (3) If an animal is sold through an auction or other sale as a part of the exhibition, the name and address of the purchaser of each animal.

(c) The records required under this SECTION shall be kept for not less than two (2) years from the opening date of the exhibition.

(d) A person keeping records required under this SECTION shall make the records available to board personnel for inspection and copying upon request during normal business hours.

SECTION 8. LSA Document #15-154(E), posted at [20150603-IR-345150154ERA](#), is repealed.

SECTION 9. (a) SECTION 1 of this document takes effect July 10, 2015.

(b) SECTION 1 of this document expires September 16, 2015.

SECTION 10. (a) SECTIONS 2 through 7 of this document take effect September 17, 2015.

(b) SECTIONS 2 through 7 of this document expire October 8, 2015.

*LSA Document #15-205(E)*

*Filed with Publisher: July 10, 2015, 8:18 a.m.*

*Posted: 07/15/2015 by Legislative Services Agency*

An [html](#) version of this document.